

JUSTIFICATION AND APPROVAL
Justification for Other than Full and Open Competition

This Justification for Other than Full and Open Competition (JOFOC) is being executed in accordance with Federal Acquisition Regulation (FAR) 6.302-1 "Only one responsible source and no other supplies or services will satisfy agency requirements" and National Business Center (NBC) policy NBCM-ACQ-6000-0015, "Policy for Review and Approval of Contract Actions."

1. Contracting Agency and Requiring Activity.

Contracting: National Business Center/Acquisition Services Directorate
381 Elden Street, Suite 4000
Herndon, VA 20170

Requiring: Department of Agriculture (USDA), Foreign Agriculture Service (FAS),
Information Technology Division
Office of Administrative Operations
Washington, DC

2. Nature of Action Being Approved.

A brand name description in the Statement of Objectives (SOO) requires potential contractors to use customized code based on Microsoft Visual Studio/Microsoft.Net. This brand name description will restrict the offerors who can participate in this solicitation to those who use Microsoft Visual Studio/Microsoft.Net.

3. Description of Supplies or Services and estimated dollar value.

The Food Aid Information System (FAIS) project is divided into two phases, the first of which is complete. Phase II will require review of the required and desired functionality, design, development or customization, testing, deployment, and maintenance (optional) of FAIS in the FAS Information Technology Environment, including creating user and system documentation, conducting user training and preparing the FAS organization for the business process changes FAIS will create. The fully functioning, web-based FAIS will help the Foreign Agricultural Service/Food Aid Division manage its food aid grants programs.

The Government cost estimate is \$ [REDACTED]

NAICS code 541511 applies with a size standard of less than \$25 million.

4. Statutory Authority.

FAR 6.302-1 -- Only one responsible source and no other supplies or services will satisfy agency requirements.

5. Rationale Supporting Use of Citation in No. 4.

There are several platforms in addition to Microsoft Visual Studio/Microsoft.Net, including JAVA and Mono, which could be used to successfully develop the web based FAIS solution. This solicitation is

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The USDA FAS Information Technology (IT) Division uses the Microsoft Visual Studio/Microsoft.Net tool to develop and maintain software applications. Information Technology employees of the USDA FAS office only have the knowledge and training to support Microsoft Visual Studio/Microsoft.Net. The USDA FAS office will be responsible for the operation and maintenance of the FAIS system after the FAIS contract ends and will be unable to effectively fulfill those responsibilities if a tool other than Microsoft Visual Studio/Microsoft.Net is used to develop the FAIS product.

The Government's ability to perform the maintenance of the software by employees of USDA FAS, rather than by continually hiring contractors to perform this requirement, will result in cost savings to the Government. The Government would either need to continually award new maintenance contracts if the software is written using a platform other than Microsoft Visual Studio/Microsoft.Net or would have to expend the resources to get USDA FAS employees trained (including periodic refresher training) to perform the maintenance task.

The use of the Microsoft Visual Studio/Microsoft.Net description in the acquisition is essential to the Government's requirement, and accordingly, a product manufactured by another company will not be considered.

6. Efforts to Identify Additional Sources.

A pre-solicitation notice (0409PS21199) has been posted in FedBizOpps (FBO) to create industry awareness and encourage participation in the requirement.

7. List of Sources to Express Interest in Writing

As of 17 February 2009, a total of [REDACTED] sources have expressed interest in the FAIS requirement by

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8. Future Plans to Permit Competition.

In general, USDA FAS will continue to pursue full and open competition on many of the large-scale contracts involving new Information Technology products. At the current stage of the subject work, full and open competition is not a viable solution.

9. Market Research

The USDA FAS office performed initial market research by posting a Request for Information (RFI) through their acquisition office in June 2007 and received [REDACTED] USDA FAS also met with many vendors over the years to discuss the FAIS project. USDA FAS personnel provided seminars at the Food Aid Conference held in April 2006 and April 2008. The seminars were attended by the vendor community.

The feedback initially received by USDA FAS indicated that the FAIS solution could be available within the commercial market [REDACTED] and a commercial solicitation (0408KP20981) was posted in FBO. [REDACTED] responses were received. [REDACTED]

[REDACTED]

The pre-solicitation notice 0409PS21199 for the new non-commercial solicitation was posted in FBO on 12 January 2009.

10. Recommendation, Certification, and Approval.

Recommendation/Certification:

Based on the above, I recommend that this acquisition be conducted on the basis of "Other than full and open competition." I certify that technical data that is the responsibility of technical or requirements personnel and which form a basis for the justification are complete and accurate.

Brenda Lawson

Brenda Lawson
Chief, Application Development Branch
Information Technology Division
Office of Administrative Operations
USDA-Foreign Agricultural Services

3-5-09
Date

Concurrence for Approval:

All of the requirements of the FAR Part 6.3 have been considered in preparing this justification. This justification is accurate and complete to the best of my knowledge and belief. It has been determined that the anticipated cost to the Government, including the brand name description in the requirement, will be fair and reasonable.

Mark Hicks

Mark Hicks
Contracting Officer
Acquisition Services Directorate

5 Mar 09
Date

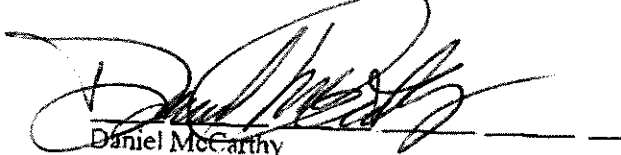
Review/Concurrence for Approval:



Robert P. Brown
Chief, Acquisition Division II, Branch I
Acquisition Services Directorate

March 5, 2009
Date

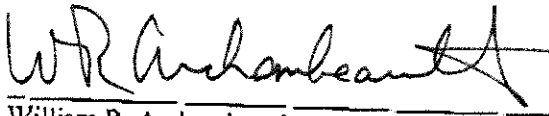
Review/Concurrence for Approval:



Daniel McCarthy
Chief, Acquisition Division II
Acquisition Services Directorate

03/09/09
Date

Approval:



William R. Archambeault
Competition Advocate
Acquisition Services Directorate

3/9/09
Date